

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 ACDA-12 IO-13 /084 W
-----045923 270625Z /16

R 261929Z JAN 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC 5255
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO
USELM LIVE OAK

C O N F I D E N T I A L SECTION 01 OF 03 BONN 01564

LIVE OAK - US EYES ONLY

E.O. 11652: XGDS 1
TAGS: PGOV, BQG
SUBJECT: KORBER ON BERLIN TOPICS

REFS: (A) 77 BONN 21531
(B) 77 BONN 21415 (NOTAL)
(C) BONN 1104 (EXDIS) (NOTAL)
(D) 77 BONN 17134 (PARA 27) (NOTAL)
(E) USBER 0010

BEGIN SUMMARY: GDR INTERFERENCE WITH TRANSIT TRAFFIC
BETWEEN BERLIN AND THE FRG WAS DISCUSSED AT LENGTH
DURING A MEETING ON JANUARY 24 BETWEEN THE DCM AND
BERLIN SENATOR FOR FEDERAL AFFAIRS KORBER. KORBER SAID
THAT THE FRG PLANS TO TAKE STEPS TO INFORM THE GDR OF
THE MEASURES IT IS TAKING TO DISCOURAGE EXFILTRATION.
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MEICHSNER FROM KORBER'S OFFICE ALSO RAISED THE QUESTION
OF "UNDERSTANDINGS" ABOUT WHICH THE FRG MIGHT NOT HAVE
BEEN INFORMED, AN INDICATION THAT THIS IS STILL A
SENSITIVE POINT IN SPITE OF ALLIED ASSURANCES. KORBER
NOTED POSSIBLE PROBLEMS IN MAYOR STOBBE'S ASSUMPTION
OF THE PRESIDENCY OF THE BUNDESRAT BUT OBSERVED THAT
ANY ATTEMPT TO PREVENT THIS WOULD PRODUCE A SERIOUS

REACTION IN BERLIN. END SUMMARY

1. BERLIN SENATOR FOR FEDERAL AFFAIRS KORBER INVITED THE DCM, THE POLITICAL COUNSELOR AND AN EMBASSY OFFICER TO DISCUSS BERLIN AND RELATED MATTERS ON JANUARY 24. GUENTHER MEICHSNER, HEAD OF THE OFFICE OF THE BERLIN REPRESENTATION IN BONN, WAS ALSO PRESENT FOR THIS REGULAR EXCHANGE OF VIEWS.

2. THE SUBJECT OF GDR INTERFERENCE WITH AUTOBAHN TRANSIT TO BERLIN (REF A) TOOK UP MUCH OF THE MEETING. KORBER SAID THAT A QUESTION PERIOD (GROSSE ANFRAGE) HAD BEEN SCHEDULED BY THE BERLIN CDU IN THE BERLIN HOUSE OF REPRESENTATIVES ON THE QUESTION OF KOHL'S DENIAL OF ENTRY BY THE GDR. THE CDU HAD FORMULATED THE QUESTIONS IN A RATHER CLEVER FASHION, SO AS TO SEEK TO FORCE THE SENAT TO ADMIT THAT THE DENIAL OF ENTRY WAS A TREATY VIOLATION (IN WHICH CASE SOMETHING SHOULD BE DONE) OR THAT NO TREATIES WERE VIOLATED (IN WHICH CASE THE CDU COMPLAINTS THAT TREATIES WERE INEFFECTIVE WOULD BE BUTTRESSED).

3. KORBER COMMENTED THAT THE NUMBER OF DELAYS HAD RISEN SHARPLY IN THE RECENT PAST AND THAT THERE WERE SOME 200 STOPPAGES IN DECEMBER. HE SAID THE GDR MEASURES HAVE GONE BEYOND OPENING SEALED TRUCKS AND CONFIDENTIAL

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CAR TRUNKS AND HAVE INCLUDED FRISKING AND QUESTIONING TRANSIT TRAVELERS. KORBER NOTED THAT THIS IS OF COURSE

A QUESTION OF CONCERN TO BERLIN AS WELL AS THE FRG AND THAT THE FRG IS NOW CONSIDERING HOW TO GET THE MESSAGE TO THE GDR THAT THIS CONDUCT IS UNACCEPTABLE. KORBER SAID THAT DISCUSSIONS IN THE TRANSIT COMMISSION HAVE THUS FAR HAD NO EFFECT AND THAT, IN ANY CASE, THERE IS A CONCERN THAT PRESSING THE GDR TOO HARD WILL FORCE THE LATTER TO BECOME MORE INTRANSIGENT SINCE THE GDR HAS NO LEGAL BASIS FOR THE ACTION WHICH IT HAS TAKEN. CONSIDERATION HAS ALSO BEEN GIVEN TO CONTACTS WITH THE GDR OUTSIDE THE TRANSIT COMMISSION AND PERHAPS EVEN A CALL FOR NEGOTIATIONS WITH THE GDR UNDER ARTICLE 19(5) OF THE FRG/GDR TRANSIT AGREEMENT. HOWEVER, THE FRG IS RELUCTANT TO PURSUE THIS LATTER COURSE FOR FEAR IT MIGHT INCITE THE SOVIETS TO CALL FOR CONSULTATIONS ON THE QA, A MATTER ABOUT WHICH THE FRG IS ALREADY CONCERNED (REF B). KORBER SAID THAT THE ALLIES MAY EVENTUALLY BE ASKED TO TAKE UP THE MATTER OF INTERFERENCE ON THE AUTOBAHN WITH THE SOVIETS.

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4. THE DCM ASKED WHETHER THE GDR INTERFERENCE MIGHT
BE RELATED TO THE "SPIEGEL" MANIFESTO AS A DISPLAY OF
GDR DISPLEASURE.
KORBER SAID THAT THERE WERE THREE POSSIBLE EXPLANATIONS
FOR THE GDR ACTION -- ANGER OVER THE FRG HIGH COURT'S
DECISION ON THE ENFORCEABILITY OF CONTRACTS FOR
EXFILTRATION ASSISTANCE (REF D); A BELIEF ON THE PART OF
THE GDR THAT THE FRG CAN TAKE INCREASED MEASURES TO
CURB EXFILTRATION AND THAT INCREASED GDR CONTROL ON THE
AUTOBAHN MIGHT PERSUADE THE FRG TO DO SO; AND A POLICY
OF PINPRICKS.

5. RECALLING THE HIGH PERCENTAGE OF GDR ARRESTS IN
RELATION TO THE NUMBER OF VEHICLES STOPPED IN OCTOBER
(PARA 1 OF REF A) WE ASKED WHETHER THIS TREND HAD
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CONTINUED. KORBER SAID THAT THE NUMBER OF CASES OF STOPPAGE HAD INCREASED DRAMATICALLY BUT THAT THERE HAD BEEN NO INCREASE IN THE NUMBER OF ARRESTS. CONSEQUENTLY, THE PERCENTAGE OF ARRESTS BASED ON TOTAL HINDRANCES HAD DRASTICALLY DECLINED. REFERRING TO KORBER'S MENTION OF THE POSSIBILITY THAT THE FRG MIGHT SEEK ALLIED INTERVENTION WITH THE SOVIETS, WE INQUIRED ABOUT THE STATUS OF THE SUGGESTION MADE IN BONN GROUP THAT THE FRG MIGHT FIRST FIND A WAY TO INFORM THE GDR OF THE MEASURES IT HAS TAKEN TO CURB EXFILTRATION. KORBER SAID THAT HE HAD JUST COME FROM A MEETING AT WHICH THIS WAS DISCUSSED. AS REPORTED REF A, HE SAID THAT ORDERS HAD GONE OUT TO FRG CUSTOMS AUTHORITIES TO EXERCISE MORE CARE IN THE FIXING OF THE SEALS OF THE TRUCKS. HE SAID THAT IT HAD BEEN DECIDED TO APPROACH THE GDR (IN AN UNSPECIFIED FASHION) IN THE NEAR FUTURE. WE NOTED THAT THIS SHOULD SHOW WHETHER THE GDR'S INTENTIONS WERE CONFINED TO THE TRANSIT ROUTES OR WHETHER IT WAS THEIR INTENT TO MAKE THIS PART OF A WIDER PROBLEM.

6. IN A DISCUSSION OF THE BERLIN SITUATION GENERALLY, KORBER SAID THAT EC PROBLEMS AND THE STOBBE ELECTION AS PRESIDENT OF THE BUNDESRAT WILL CREATE PROBLEMS WITH THE SOVIETS THIS YEAR. MEICHSNER COMMENTED HE DID NOT UNDERSTAND WHY THE STOBBE ELECTION WAS SUCH A CAUSE OF CONCERN TO THE SOVIETS SINCE BERLIN MAYORS HAD HELD THIS POST BEFORE AND THAT, INsofar AS HE COULD DETERMINE, THERE HAD BEEN NO PROTEST AGAINST SCHUETZ' ELECTION IN 1967. KORBER SAID THAT ANY (PRESUMABLY ALLIED) ATTEMPT TO PREVENT STOBBE FROM BEING ELECTED WOULD HAVE A SERIOUS REACTION IN BERLIN AND WOULD CREATE UNACCEPTABLE DIFFICULTIES. THE DCM SAID WE ASSUMED THAT THE STOBBE ELECTION WILL PROCEED AS SCHEDULED. IN CONFIDENTIAL

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A DISCUSSION OF HOW STOBBE IS REGARDED BY THE SOVIETS, KORBER CONFIRMED THAT THE SOVIETS HAVE SHOWN NO INCREASED ANTAGONISM TOWARD HIM. HE SAID THAT STOBBE HAD TOLD THE ALLIED COMMANDANTS IN BERLIN LAST WEEK THAT HE PLANS TO MEET WITH ABRASIMOV SOON AND THAT THIS HAS BEEN AGREED TO BY THE SOVIETS. NO DATE HAS YET BEEN SET AND IT IS STILL UNDECIDED WHETHER THE MEETING WILL BE IN EAST OR WEST BERLIN.

7. MEICHSNER RAISED THE QUESTION OF "UNDERSTANDINGS" OUTSIDE THE QA (REFS B AND C). THIS DISCUSSION BROKE NO NEW GROUND EXCEPT TO REFLECT THAT THIS CONTINUES TO BE A NEURALGIC POINT WITH THE GERMANS. THE DCM SAID

THAT SO FAR AS ANY OF THOSE PRESENT KNEW, THERE WERE NO "UNDERSTANDINGS" OF WHICH THE FRG WAS UNAWARE. IF THERE WERE ANY SUCH UNDERSTANDINGS, THE SOVIETS WOULD HAVE BEEN SURE TO REMIND US OF THEM. MEICHSNER SAID THAT HE WAS CONCERNED THAT SECRETARY OF STATE KISSINGER IN HIS TALKS IN THE SPRING OF 1974, AFTER THE DIFFICULTIES THE SOVIETS HAD OVER THE FEDERAL ENVIRONMENTAL AGENCY, MAY HAVE MADE COMMITMENTS TO THE SOVIETS OF WHICH THE FRG HAD NOT BEEN INFORMED. SPECIFICALLY, HE WAS AFRAID THAT THE SECRETARY MAY HAVE ASSURED THE SOVIETS THAT THE ALLIES WOULD TAKE SOVIET VIEWS INTO ACCOUNT IN DECIDING THE QUESTION OF POLITICAL OPPORTUNENESS. THE MINISTER NOTED THAT ANY COMMITMENT, TO BE BINDING, WOULD HAVE HAD TO BE AGREED BY ALL THREE ALLIES.

8. THERE WAS ALSO A BRIEF DISCUSSION OF THE PLANNED

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WISCHNEWSKI TRIP TO THE GDR BUT NOTHING WAS DISCUSSED
WHICH IS NOT CONTAINED IN A FULLER REPORT PROVIDED
SEPTTEL.

9. COMMENT: WHILE THE MEETING PRODUCED NO SURPRISES, THE PERIODIC EXCHANGES WITH KORBER -- WHICH CONTINUE A TRADITION OBSERVED ALSO WITH HIS PREDECESSOR WHEN STOBBE WAS FEDERAL SENATOR -- ARE USEFUL IN THAT THEY GIVE US A FIRST-HAND IMPRESSION OF THE CONCERNS BERLIN REPRESENTATIVES FEEL HERE. THEY ALSO PROVIDE A CHANNEL OF COMMUNICATION IN ADDITION TO THE BONN GROUP (WHERE MEICHSNER SOMETIMES APPEARS SOMEWHAT INHIBITED BY THE FOREIGN OFFICE REPRESENTATIVES' PRESENCE) FOR A DISCUSSION ON BERLIN MATTERS.

10. REGARDING THE SUGGESTION THAT THE FRG SHOULD INFORM
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THE GDR OF THE MEASURES IT HAS TAKEN TO CURB EXFILTRATION, THE BONN GROUP WAS INFORMED ON JANUARY 23 THAT AFTER THE BONN GROUP DISCUSSION OF THE TOPIC ON DECEMBER 20, STATE SECRETARY VAN WELL (WITH GENSCHER'S APPROVAL) WROTE RESPONSIBLE OFFICIALS IN THE TRANSPORT MINISTRY, THE MINISTRY OF INNER-GERMAN AFFAIRS, MINISTRY OF INTERIOR, THE CHANCELLERY AND THE SENAT. HE SAID THAT THE VIEWS EXPRESSED BY THE ALLIES SHOULD BE TAKEN SERIOUSLY. AS A RESULT, THE WISCHNEWSKI GROUP (FUENFER KREIS) DECIDED ON JANUARY 18 THAT A SMALL MEETING OF HIGH-LEVEL OFFICIALS SHOULD BE SCHEDULED TO DECIDE WHAT COULD OR SHOULD BE DONE. THE MEETING WAS EXPECTED TO BE HELD JANUARY 24 AND THIS WAS PRESUMABLY THE MEETING TO WHICH KORBER WAS REFERRING (PARA 1, SUPRA).

11. WITH REFERENCE TO THE QUERY IN REF E, WE TOOK THE OPPORTUNITY TO INQUIRE WHY THE FRG ATTITUDE TOWARD MEASURES AGAINST EXFILTRATION (WHICH HAS BEEN A SENSITIVE INTERNAL POLITICAL SUBJECT IN THE PAST) HAS APPARENTLY CHANGED. WE RECEIVED NO DIRECT ANSWER BUT WILL PURSUE THE QUESTION IN A LOW-KEY MANNER.
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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BERLIN ACCESS, ALLIANCE, LIVE OAK, DIPLOMATIC DISCUSSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 26 jan 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978BONN01564
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Expiration:
Film Number: D780040-0393
Format: TEL
From: BONN
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780121/aaaaarkw.tel
Line Count: 320
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 544909e0-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: 77 BONN 21531, 77 BONN 21415, 78 BONN 1104, 77 BONN 17134, 78 USBERLIN 10
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 15 feb 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3712519
Secure: OPEN
Status: NATIVE
Subject: KORBER ON BERLIN TOPICS
TAGS: PGOV, BQG
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/544909e0-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014